

Confidential

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GENERAL AND REVENUE SECRETARIAT.

1908-9

(Legislation.)
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File No. 1-08

Serial Nos.

Papers Filed.

(24)

Month _____

SUBJECT.

Proposal to publish the Budget
Estimates and to allow them to be discussed
in the Legislative Council.

PREVIOUS REFERENCES.

LATER REFERENCES.

GENERAL AND REVENUE SECRETARIAT

()

NOTES.

File No.

FILE HEADING.

*Proposal to publish the Budget Estimates
and to allow them to be discussed in the Legislative
Council.*

From

No.	Dated	Received
Diary No. }	Enclos.	Spare Copies }
		Serial No.

BRIEF ABSTRACT OF LETTER.

NOTES AND ORDERS.

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Asst Secy (Finance)

1) Was the subject of allowing the members of the Legislative Council an opportunity of making suggestions with regard to the budget ever considered? If so I should like to see all papers connected with the subject.

2) What opportunities and facilities have the members of the Representative Assembly in the matter of criticizing the budget? To what extent in practice are such opportunities availed of?

3) The tendency in the parts of India now is to encourage the people to take active part in administrative and financial matters; and it is just as well for us to review our position in this respect and see whether any forward step can be usefully taken in this direction.

4) I shall be obliged if you will think over the subject and let me have your views in a note within a fortnight.

JSR 2.4.09

Please see note
placed below.

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5) A. The functions of the Council are exclusively legislative and the power of interpellating Government on matters of general administration or of criticising the annual budgets has not been conferred upon it. From the speech delivered by the Dewan while opening the Council it would appear that it is considered that "there is not the same necessity for granting these privileges to the Legislative Council in Mysore as there is in British India. Mysore already possesses a Representative Assembly in which it is open to the elected representatives of the people to make any representation they may consider necessary on administrative measures and on matters affecting the well being of the people and elicit information from Government"

6) B. 2. As stated by the late Mr. Rangacharlu in his speech opening the first session of the Representative Assembly the object with which the Assembly is convened is to place before it "a report of the Administration of the past year and an outline of the measures proposed to be carried into effect in the coming year" and to give the representatives of the people an opportunity to make any observation to make in the public interests. It is doubtful if "making observations and suggestions" can be taken as the privilege of interpellating Government on questions of public interests including financial administration. In any case the Representative Assembly is alike by its nature and composition, the time of the year at

^ and Suggestions
which they may
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at which it is convened and the want of materials for the study of the subject by the members, is not in a position to discuss the annual budgets.

3. Without an organisation entrusting the practical work to a few of its members, an assembly consisting of about 300 members is apparently unsuited for a useful discussion in detail of the budget within anything like reasonable time. ~~It is true that the House of Commons in England is a more unwieldy body than the Representative Assembly in Mysore but authorised constitution and tradition have built for the former a recognised organisation and the general discussion of matters of importance including the Budget is conducted practically by the leaders of the several parties while detailed discussion is delegated to Committees of the House. The Representative Assembly does not appear to possess such a recognised organisation.~~

4. The Representative Assembly meets on the occasion of the Dasara, that is, long after the budget programme for the year has been settled and its "observations and suggestions" on matters of financial administration would be too late for already settled the budget and too premature for the budget of the next year.

5. There appears to be no arrangement for furnishing in time the members of the Representative Assembly with copies of the estimates proposed for any year or with other information they may require for a careful and detailed study of

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the estimates and in such circumstances they cannot be expected to make any observations or suggestions likely to be of use in the practical drawing up of the financial programme for any year. One very important point to be kept in view in such matters is that the discussions should not be purely general and academical and the people's representatives summoned to take part in deliberations relating to questions of administration should be in a position to appreciate the practical difficulties to be met by Government and the suggestions they may wish to make should be eminently practicable to be of any value.

10) 6. It will be seen from what is stated above that the Representative Assembly has neither the opportunities nor facilities for criticising the budget or for offering suggestions for alteration of the financial programme for any year drawn up by the Executive.

11) C. 7. The members of the Representative Assembly have however been pressing for permission to discuss the budget and the proceedings of the Assembly for five years containing the representations of the members on the subject and the replies of Government to such representations are put up. It will be seen from the replies that the question of allowing the people's representatives an opportunity of making suggestions in regard to the budget has not been seriously considered so far.

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8. What provision may be made for permitting the people's representatives to offer, at the proper time suggestions in regard to questions of financial administration in general and the annual budgets in particular, is largely a question of the policy of Government and the solution of the question may involve material alterations of the existing arrangements in many points and appears also to be beset with many difficulties. It is therefore not easy to note on this question without an idea of the lines on which the solution should proceed and the observations that follow are accordingly made with great diffidence.

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9. But before considering the question of what arrangements may be made in Mysore for associating the people's representatives in the work of practical financial administration, it would be useful to study the system in this respect hitherto in force in British India and that which will be introduced there from the next year in connection with the constitutional reforms which are shortly to be inaugurated.

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10. From 1861 to 1892 the function of the Legislative Councils in British India was confined to the discussion of legislative proposals submitted to them in the form of Bills. In 1892 this limitation was relaxed to the extent of allowing debate on the annual financial statement although no legislation was involved and in this debate it is permissible for members to draw attention to any matter they please, whether it

arises

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arises directly out of the budget proposals or not

15)

The budget discussion lately held in the Imperial and the Provincial Legislative Councils in British India were the last to be conducted under the practice authorised in 1892, and arrangements are in progress to give from next year, larger and more real interest to the nonofficial members in the preparation and discussion of the annual budgets. The practice authorised in 1892 permitted of only a general discussion by the nonofficial members of the Budget after it had been settled finally and the discussion had accordingly no practical influence on the budget. Under this arrangement, the debate from its very nature was more of an academical ~~rather~~ character as, while on the one hand the nonofficial members could not appreciate the difficulties of practical administration, the Executive on the other would not show much regard to suggestions of nonofficial members, which were far too diffuse and general to serve any useful purpose. The arrangement was therefore considered unsatisfactory and from next year the nonofficial members will, before the Budget is finally settled, be taken into greater confidence, allowed access to materials required for a careful and detailed study of the Budget programme and enabled to realise the situation in all ^{its} bearings and offer suggestions which can be adopted with advantage.

16)

11. The exact procedure that will regulate the budget discussion in the Imperial and Provincial Legislative Councils is described in paras 63 to 74 of the Government of India Despatch

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dated 1st October 1908. In its essentials the pro-
cedure is as follows:-

17 On the presentation of the financial state-
ment the Council will resolve itself into a Com-
mittee for discussion of the budget by blocks.

"The major heads or groups of heads will be taken
up in order, the discussion being opened with an
explanatory speech by the member of the Executive
Council who control the Departments concerned...

Each member would then be at liberty to move a
resolution in the form of a recommendation to Go-
vernment relating to the figures in any head or
group. The Council would decide upon any

resolution which were pressed and the result ^{would} be
duly recorded. But the Government would not be

bound to take action upon any resolution either

in whole or in part. Power should be vested in

the Chairman to close the discussion upon any

head or group when he thinks that it cannot be

continued with advantage and there should be a

time limit for individual speeches..... The

resolution should be in the form of a recommenda-

tion to Government, ^{as} indicating that the power

of passing the budget is vested not in the Coun-

cil but in the Executive Government. When the

Council sitting in Committee has completed its

labours it will be for the Government to decide

what alterations, if any, should be made in the

budget as a result of the discussion. These --

would be carried out ^{at once}. At the adjourned meeting

of the Council the Finance Member (or the Finan-

cial Secretary in Provinces other than Madras and

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Bombay) would submit the budget in its final form along with a formal report of the proceedings in Committee. This opportunity would be taken to explain briefly why Government had been unable to accept any resolutions that were carried in Committee. After the ~~Financial~~ ^{Finance} Member's speech, a general discussion would follow; but at this stage no further resolution would be admissible. The Finance Member would make a general reply and the Viceroy, (or the Head of the Provincial Government) would sum up the debate; whereupon the budget would come into effect"

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12. The essential features of the arrangement are (1) the submission of the budget to a Committee of the Council consisting of only such number of members as can discuss it in detail and make recommendations within the time ~~xxx~~ available (2) consideration by the Government of such recommendations and the alteration of the Budget in accordance with such of the recommendations as Government are prepared to accept and (3) presentation for general discussion of the Budget in its final form with an explanation as to why any of the recommendations made by the Budget Committee of the Council are not accepted and acted upon.

13. ~~That it is desirable to associate the people with the practical work of financial administration and that the fullest advantage should be taken by the Executive Government of the suggestions of people for the better administration of the public finances are questions that admit of~~

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~~two answers]~~ The existence of two bodies in Mysore, namely, the Representative Assembly and the Legislative Council raises the question as to which of them should have the privilege of budget discussion conferred upon it. Both by its constitution and tradition it is the Representative Assembly that is entitled to the privilege of discussing the budget and not the Legislative Council which as at present constituted is not a representative body in the strict sense of the term, nor can it have any voice in matters other than pure legislation. Besides, the Representative Assembly is naturally jealous of its privileges and was even apprehensive, if the formation of the Legislative Council would result in any encroachment on its functions and the assurance had to be conveyed to it that the sphere of work of the two bodies would be different. The privilege of submitting representations regarding matters of general administration has been expressly conferred on the Representative Assembly and the latter has exercised the privilege for the last 27 years. The right to be consulted on matters of finance is only an extension of the privilege already enjoyed by the Representative Assembly and it is that Assembly and not the Legislative Council that can claim that such a right may be conferred on it.

20

14. If the Representative Assembly should be given the privilege of submitting recommendation regarding the budget programme of any year, an arrangement should be devised to permit of the

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Assembly considering the budget and offering sugges-
-tions before the beginning of the year. As al-
ready observed in para 4 supra, discussion on the
occasion of the Dasara is too late for the budget
of the financial year then current and too prema-
ture for the budget of the following year.

15. There are several reasons for convening
the Representative Assembly at the time of the --
Dasara and to arrange for its sitting at any other
time would probably be inconvenient and undesirable
The Representative Assembly has come to be associ-
ated with the Dasara functions to which the ~~deli-~~
berations of the Assembly appear to be an appro-
priate addition of official business and it seems
inadvisable to provide for the holding at any other
time of the annual sessions of that Assembly which
is likely to disturb the tradition and detract from
the importance of the Dasara. This circumstance
coupled with the fact that an assembly of about 300
members is far too unwieldy a body for the detail-
ed discussion of the budget, suggests the need for ~~the~~
appointment of a Finance Committee of the Assembly.
If any arrangement providing for an expression at
the proper time of the views of the people through
their representatives on matters of financial ad-
ministration is to be made, the only practicable
way of giving effect to such an arrangement seems
to be to require the Representative Assembly to e-
lect a few of its members to form a Finance Com-
mittee which can be summoned in June and requested
to discuss the Budget in detail and submit to Go-
vernment recommendations regarding any alterations

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in the Budget programme it would suggest.

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16. It seems also to be highly advisable to provide for the two representatives returned to the Legislative Council by the Representative Assembly to be members of the Finance Committee. That would in a way associate the Legislative Council also with the financial administration and as these two members belong to the Representative Assembly itself, the arrangement would also disarm opposition on the part of that Assembly to the association of the Legislative Council in matters of general administration which are now considered by it to be exclusively its province.

23

17. The Finance Committee thus appointed may be permitted to discuss the budget in detail and submit recommendations to Government. The budget first placed before the Committee may then be revised if any of the Committee's recommendations are accepted and it may then come into effect. The presentation of the Budget in its final form may, as now, be made to the whole of the Representative Assembly, on the occasion of the Dasara and general discussion of budget may if necessary be then permitted. In British India the general discussion of the Budget by the whole of the Legislative Council would follow closely on the detailed discussion conducted by its Finance Committee and before the sanctioning of the Budget. But the general discussion will have no influence on the Budget already settled as at that stage no resolutions can be passed for put to the vote. Such a general dis-

cussion

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discussion need not ~~generally~~ necessarily be held before the beginning of the year nor soon after the detailed discussion held in Committee. In Mysore such a general discussion if necessary at all might be put off till the Representative Assembly meets on the occasion of the Dasara. The postponement of the general discussion will not constitute a -- material variation from the practice in this respect that will be in force in British India from the next year.

18. The chief object is to take the people's representatives into the confidence of the Government and to permit them to study the details of the Budget and submit recommendations for the acceptance of the Government regarding matters of general financial administration and that object is attained when a committee of the Representative Assembly is convened for considering the budget programme for any year and every attention paid before settling the Budget finally to the suggestions made by such a Committee.

19. How many ^mmembers should be elected by the Representatives Assembly to form a Finance Committee of that Assembly, which of the officers of Government should be the official members of that Committee, on what dates in May or June that Committee should be asked to meet, and what procedure should regulate the deliberations of the Committee and submission of the result of its deliberations to Government and what heads of expenditure and receipts should be excluded from the deliberations of the

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the Committee, though important points, are ques-
tions of detail which can be considered later on,
if the principles of allowing the annual budgets to
be discussed by the people's representatives is re-
cognised and required to be worked out.

M. N. Menon
16/4/19

26) The foregoing note has been written by the As-
sistant Secretary Finance in connection with my sug-
gestion on page 1 of these notes. The vagueness of
my remarks has perhaps made him go further than ~~was~~
intended and he has discussed points the necessity
of discussing which would arise only if Government
consider it desirable to proceed on certain lines
and then only at a later ^{stage} ~~age~~.

27) 2. The question is a difficult and a complicated
one but it is at the same time very important. It
is mainly an administrative question but as the sys-
tem of financial administration is also concerned to
some extent, I venture to invite the attention of
Government to it.

28) 3. In some British Provinces selected representa-
tives have been consulted for some years past on
matters connected with the budget before its final
sanction; and from the next year in the new Councils,
the members will be at liberty to move resolutions
suggesting modifications in the draft budget. The
resolutions will not of course be binding on Govern-
ment and the ultimate decision will ~~always~~ rest with
the Government in all cases. In Mysore, it will

perhaps

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perhaps be considered too early as yet to think of allowing the Representatives any opportunity of discussing the budget before it is finally sanctioned. In fact it is a question for consideration whether ~~the same necessity exists here for associating elected representatives of the people with the work of administration as in British provinces; for in a Native State those who carry on the administration are of the people and in close touch with them. In any case the question as to what powers and privileges are to be given to representatives is entirely a question of policy and if any concession is granted, the Finance Department will only be too glad to help in the working out of the details of the scheme.~~ ^{the} ~~the~~ question of allowing the people and their representatives reasonable facilities for taking an intelligent interest in the financial affairs of the State stands ^{however} on a different footing; and though for some time to come the desirability of allowing them to make suggestions on the framing of the year's budget may remain open to question, ~~there~~ ^{not} may, perhaps be any serious objection to let them have copies of the budget soon after it is finally settled and thus give them an opportunity of expressing their views on points connected therewith. The present practice of making the budget available to the Representatives only after the Assembly commences its session at Dassarah time practically precludes the possibility of their discussing any point in connection with it: and Government have therefore no opportunity of knowing what the people and their representatives think of the financial programme of the year.

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5. Apart therefore from the broad question of introducing reforms to give the representatives an active part in the financial affairs of the State — a question which in my humble opinion deserves consideration, I would suggest the following small changes for favour of consideration:

(1) The budget estimates of a year as soon as they are finally ^{sanctioned} ~~should~~ by Government may be published as a special issue of the Mysore Gazette.

(2) The Appropriation Report dealing with the final accounts of a year may be published in the Gazette for the information of the public. The Comptroller-General's Appropriation Report is published by the Government of India as a supplement to the India Gazette.

30 As both the above documents are now printed, the proposal involves little additional expenditure. But it will indicate the budget and the final accounts of each year being thrown open to the public to enable the people to become acquainted with the Financial policy of Government by a careful study of facts and to express their views on important points through their representatives in the Assembly within a reasonable time.

Subd. to the Dewan)

J. S. Chakravarti
26.4.09

H42
27.3.09

26.4.09

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31) The foregoing suggestions only anticipate ideas which some of us have been entertaining and revolving in our minds; and it is high time that some steps were taken on the progressive lines now being laid down in British India.

32) 2. It seems to me that the suggestions made in para 5 of Mr. Chakravarti's note may be adopted at once.

33) 3. Further more, the Budget may be made the subject of explanation and debate at a meeting of the Legislative Council to be convened in July. The debate may be restricted to the lines laid down in 1892 for British India as explained at para 10 of the Assistant Secretary Mr. M.N. Krishna Rao's note.

34) 4. The Representative Assembly from the nature of its constitution is ill-adapted as a forum for the exposition, elucidation and discussion of the Budget, and this is why nothing like it has taken place in the past.

35) 5. Steps are afoot for introducing an elective principle in the constitution of the Legislative Council by which two or three members will be elected to it by the Representative Assembly. These elected members and the non-official nominated members will for the present form valuable independent critics and reviewers of the State Budget proposals. Upon occasion small committees may be formed out of the Legislative Council for specific purposes.

36) 6. In all these arrangements, the underlying

*Ormer
Cashier and
made an official
function connected
with the
Birth Day as the
Rep. Assembly is
connected with
the Dargah*

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~~idea regulating the relative positions of the Representative Assembly and the Legislative Council may be that the former is a sort of electoral college for the latter. This, at all events, will have to be the sole constitution for some time to come, and I think that this would be sufficient and even ample for the main purpose in view which is to take non-official and representative gentlemen into our confidence, and while on the one hand deriving benefit if possible from their remarks and suggestions, on the other hand giving them opportunities for political education which otherwise they cannot have.~~

37)

Resolutions and 9d
7. No votes will be taken on the Budget in the Legislative Council, *Resolutions* Even as no votes are now taken in the Representative Assembly.

38)

8. I do not think it is necessary or advisable to frame a hard and fast constitution cut and dry for adoption and adhesion. Let a modest beginning be made on the broad lines above sketched, and let a system evolve and develop within the limits above outlined and take shape and characteristics suited to the genius and temperament of the local communities.

39)

9. With these observations, I wish this file to be circulated to Councillors for the favour of their minutes being recorded before the file is submitted to His Highness the Maharaja for his gracious consideration.

Atg. May 08

G. R. S. 12]
General and Revenue
Secretariat.

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As an initial step forward I agree with the Dewan that the modest suggestion made by the Financial Secretary may at once be adopted viz to publish the Budget and the Appropriation report dealing with the final accounts of a year, in the Mysore Gazette for the information of the public.

41

As remarked by me on another file some time ago I would certainly grant the Legislative Council the power of Interpellation and debate on the budget now in vogue in British India. It is a happy idea to associate this function with H. H. the Maharaja's Birthday festivities, as Mysore in the same manner as the Representative Assembly is associated with the time known as Dasara.

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It is doubtful whether the Representative assembly will be satisfied with the grant of this concession to the Legislative Council but it will have the privilege of returning 3 members to the latter Council - and this number together with the nominated members may be taken as fairly representative of the people of the State. At all events a beginning may be made on these lines and as further experience is gained they may be altered or modified in such a way as to suit the growing needs of the times.

42

It should of course be distinctly understood that there will be no resolutions or votes.

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I kept this by for some time to think over. But as perhaps it is intended to bring the proposals into force this year, I record my opinion on the ~~proposal~~ as it occurs to me at present.

44

The Representative Assembly has been in existence for more than a quarter of a century and has on the whole been greatly appreciated in all quarters. The Legislative Council on the other hand is a child of yesterday. As the older body is a ~~peculiarly~~ peculiarly indigenous institution, I confess I should be sorry to see it thrown into the background by investing the later and smaller institution with all the important functions that can be conveniently allotted to such bodies consistently with the constitution of our Government, and the prerogatives of H. H. the Maharaja.

45

As for the powers of interpellation now practically allowed to the Assembly and exercised all along, there are very few limits expressly laid down. There is nothing to prevent any of the members from framing their questions in such a manner as to raise a discussion on any matter contained in the Budget; and the members of the Legislative Council can hardly do more. The chief difference is that the Legis. Council can be con -

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vened at any time during the year, whereas
the R. Assembly meets at a time when there can
be no useful or effective discussion of the
budget. But there are ways in which such a
defect can be remedied and the Fl. Asst. Secy
has mentioned one. This single defect apart,
I think that the main function of the assembly
is, as originally conceived, was to hear an
account of the past year's administration and
"a programme of what is intended to be carried
out in the coming year." The latter in effect
would be the budget, though in practice
the subject is generally dismissed in a para-
graph or two.

46) If we are to broaden the basis of the
Legislative Council without unduly reducing
the position of the Rep. Assembly, we might
work on the suggestion contained in the Dewan's
note and make the ^{Rep. Assembly} ~~R.A.~~ the Electoral College
for the Legis. Council. In that case, we might
lay down some rules to ensure that only such

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	members as are fairly able to understand
	important matters of general principle and
	public interest should be elected, and should
	increase the number of elected members, so
	as to have at least one member for each Dis-
	trict to begin with. If this is considered too
	premature now, we might have a few such members
	selected either by election or nomination from
	the Assembly for being present at the Budget
	meeting only of the Legislative Council and
	taking part in its proceedings. This is by no
	means a novel procedure; and is analogous ^{sub} to
	the procedure of selecting Law Lords in Eng-
	land or assessors for special cases. The
	Birthday Week would, as suggested by the
	Dewan, be an admirable time for this meeting;
	and as so few of the non-official Indian gen-
	tlmen are now invited as guests, it would
	give His Highness an opportunity of graciously
	extending the honour to select members of the

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R. A. Representative Assembly.

471 The proposal contained in the Comptrollers
Note (Publication of Budget Estimates and Ap-
propriation Report) may be carried out at once;
and I would suggest that they be published in
Kannada also, so as to be understood by the
Rep^{ve} members and others not conversant with
English.

475 I also heartily endorse the suggestion con-
tained in the 3rd paragraph of the Dewan's note.

But there is a vital difference between it
and Mr. Chakravarti's proposal. If the Budget
is to be made the subject of debate and expla-
nation, it would be necessary to publish it or
at any rate to make it available to the members,
before it is finally passed by Government.
Otherwise there is no use of placing it before
the Legislative Council at all. Without adopt-
ing the additional suggestion of the Dewan,
the change mentioned by the Pl. Secy is hardly

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of any particular significance, as it merely

amounts to placing two more Government papers

(the Budget Estimates and the Appropriation

Report) at the disposal of the Press.

49 I wish only to add a remark or two on para-
graph 7 of the Dewan's Note. As the Leg. Council

stands at present, ~~I do not think~~ *hardly* there is any

importance in its votes or resolutions. These

will become useful as a means of ascertaining

outside Public opinion only when the elective
element is largely increased. If, by any means,

that is brought about, then it would be de-

cidedly advisable to allow *Members* them to vote on

questions and record resolutions as, I believe,

will be done in British India under the new

Constitution. It will only be then that the

members will realise their sense of responsi-

bility, and bring to bear all their latent

powers on the public duties they are called

upon to discharge. The rule that Government

accepts such resolution only as the advice of

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of these members ~~and~~ and is not bound, except

when it approves of it, to act according to it,

sufficiently guards the Constitution of the

Government and the Prerogative of the Maharaja.

22/5/9
Recd 25.5.09

[Signature]

[Signature] *25.5.09*

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27

Record of cases submitted for the Orders
of His Highness the Maharaja.

Subject.

Proposal to publish the Budget Estimates
and to allow them to be discussed in the Le-
gislative Council.

Order.

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23-6-09

50)

I approve of the proposal of the Dewan
and Council to publish the Budget at the ear-
liest possible date so as to enable the public
and the Representative Assembly to become ac-
quainted with its details in good time.

I consider however that their proposal
to allow interpellations and a debate in the
Legislative Council are altogether premature.

I cannot approve of them.

KRM

22/6/09

to be in order
LA. 7/7/09

Seen
24/6/09

Secy
22 June 09

Seen
22/6/09

50)

27/6/09
28/6/09
29/6/09

To Sr II for note of H. H.'s
orders. The file may be returned
to Sr III for being filed with
papers re the Legat. Cl

CB

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	Asst. Secy (Fin. Branch)
	Was there no Submission note of Dewan to H.H. in this case? If there was, please let me see unless there be objection.
	(Int) J. S. C. 3.7.09
	I received the file only to-day & I did not find in it the Dewan's note of Submission to H. H.
	(Int) M. N. K. 3.7.09
	Gen. Secy)
	There does not seem to have been any Separate note of Submission. This seems to have been subd. along with a file re rules of election, but the Dewan's note in the file does not seem to specially refer to this question. Orders are under issue in that file & if Fl. Secy desires to see it, I shall have it sent in a few days after orders are issued.
	(Int) C. S. B. 3.7.09
	Thanks -
	(Int) J. S. C. 3.7.09